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Fifteenth session

SUMMARY RECORD OF THE 305th MEETING

Held at Headquarters, New York,
on Tuesday, 30 January 1996, at 3 p.m.

Chairperson: Ms. CORTI

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Third periodic report of Hungary (continued) (CEDAW/C/HUN/3 and Add.1)

1. At the invitation of the Chairperson, Ms. Kardos-Kaponyi (Hungary) took a place at the Committee table.

2. Ms. KARDOS-KAPONYI (Hungary), responding to the questions posed under article 14 of the Convention concerning rural women, said that, according to the 1994 statistics, 20 per cent of the population lived in the capital, Budapest, 44 per cent in towns and 36 per cent in villages. The number of women per 1,000 men was significantly higher in Budapest (1,164) than in the towns (1,085) and villages (1,053).

3. On the subject of participation by women in political life, she stated that female candidates were more successful in contests at the local level, where they were known personally to voters, although the proportion of women elected to municipal assemblies had fallen from approximately 30 per cent in the 1980s to only 16 per cent in 1990. Women fared particularly badly in elections to high profile offices.

4. Responding to the questions posed under article 16, she said that, while the decline of living standards had adversely affected family life, Hungary had for decades had one of the highest divorce rates in Europe.

5. The management structure of the social security system had changed significantly since the submission of the second periodic report in 1991. The pension and health care insurance funds were now separate entities run independently of the Government by a board composed of employers' and workers' representatives. While the new management structure was more democratic, it was proving difficult to reconcile the expectations of those insured, expressed by their representatives on the boards, with the realities of the current economic climate. Another important change had been the decision to increase pensions annually in line with the incomes of the active population. Currently, new methods of financing the pension system were under consideration.

6. Hungary's legislation on adoption had been amended in 1990 and again in 1995; currently foreigners could adopt children from Hungary only in exceptional cases. The goal of the first amendment had been to permit a mother to consent to the adoption before her baby was born, and to authorize the institution where a child had been placed because of its parents' inability to care for it, to make the necessary declaration that the child was available for adoption.

7. The CHAIRPERSON said that it was clear that the Hungarian Government was committed to the advancement of women and the promotion and protection of their human rights, and that it viewed human rights education as an indispensable part of that process. The situation in Hungary compared favourably with that in many

other countries of Central and Eastern Europe and the outlook appeared optimistic.

8. With regard to the economic situation, she observed that the structural adjustment and changes in employment patterns often hit women the hardest. She was particularly concerned that companies in the private sector were failing to implement measures aimed at promoting women's equality. The emergence of women entrepreneurs was, however, a positive sign. It was to be hoped that the women's training centre to be established in Budapest by the International Labour Organization would facilitate women's entry into the labour market.

9. She had been pleased to note the Government's determination to combat prostitution, pornography and violence against women, though she had reservations as to the effectiveness of the Church's involvement in the campaign against prostitution. It would be preferable to accord a greater role to non-governmental organizations and women's groups. More effective measures were required to combat sexual harassment.

10. She had appreciated the emphasis placed in the report on the situation of elderly women, for their problems were often neglected. Given current demographic trends throughout Europe, every country should develop a special policy for elderly women.

11. It was regrettable that the proposal to introduce quotas with a view to increasing women's participation in political life had been rejected. Experience in many other European States, particularly in the Scandinavian countries, had shown that quotas were a valuable tool for attaining the objectives of article 7 of the Convention. Until women's underrepresentation in political life was rectified, there was a risk that Hungary's two women vice-presidents would be mere symbols.

12. Ms. KHAN said that the absence of women from public life was due in part to the abolition of many family support provisions and child and maternity benefits during Hungary's reforms. The withdrawal of the quota proposal was regrettable since, as the experience of her own country, Pakistan, had shown, affirmative action was a prerequisite for improving the situation of women in developing countries.

13. She noted that although 82 per cent of Hungarian women worked, they earned 20 to 30 per cent less than their male counterparts, even though they were better educated than men. While women sometimes had the wrong skills, Hungary must also examine its legislation on the matter.

14. It was widely recognized that national machinery for the advancement of women could be effective only if it enjoyed a high status. She was concerned, therefore, at the low standing of the women's secretariat. She asked how the secretariat interacted with the other national bodies responsible for women's affairs.

15. Ms. BUSTELO GARCIA DEL REAL said that, while affirmative action was permissible under the Hungarian Constitution, there was no evidence of such measures in the report. Many countries in transition failed to distinguish

between protective measures aimed at guaranteeing women's safety in industries such as mining, where they were unable to compete with men on equal terms, and affirmative action intended to accelerate the achievement of equality between men and women. Political quotas were an example of such affirmative action since, while women were as capable of participating in political life as men, they were often prevented from doing so by stereotypical attitudes. She was concerned that as Hungary rejected its political past, traditional attitudes towards women were re-emerging. While the Committee had recommended that men and women should share responsibility for child care, measures adopted in Hungary to protect maternity focused on the mother's role and would, in her view, have the unfortunate consequence of pressuring women to leave the labour market.

16. Finally, she urged the Hungarian Government to disseminate the Convention more widely.

17. Ms. BARE expressed concern at the growing incidence of prostitution among minors, and wondered whether the vocational and technical education provided by schools could be made more effective, enabling young girls to become self-employed.

18. Ms. ABAKA said she had noted with concern the rise in the number of women having abortions after the reform of the abortion law. Education on family life, including sex education, should be increased, and the possibility of subsidizing contraception should be considered. AIDS-awareness campaigns should target as many people as possible, and involve those who were already HIV positive. She was disturbed to learn of the legislation requiring a mandatory reconciliation procedure before divorce proceedings could be begun. In view of the effect of domestic violence on women's health, that requirement should be reconsidered. Doctors and all other officials who dealt with victims of domestic violence needed to be trained in how to deal with them.

19. Ms. OUEDRAOGO said she would have welcomed more information on rural women, and more specific statistics on agricultural workers.

20. Ms. ESTRADA CASTILLO said that while she recognized the problems faced by the Hungarian Government, democracy could not be bought at the expense of women's rights. She was particularly concerned about domestic violence and its relationship to the abuse of drugs and other addictive substances. The Government needed to pay that problem increased attention in order to reduce the levels of domestic violence, which denied women their rights.

21. Ms. Kardos-Kaponyi withdrew.

22. At the invitation of the Chairperson, Ms. Quisumbing (Chief of the Centre for Human Rights, New York Office) took a place at the Committee table.

23. Ms. QUISUMBING (Chief of the Centre for Human Rights, New York Office), speaking on behalf of the High Commissioner for Human Rights, said that the Vienna Declaration and Programme for Action and the Beijing Platform for Action had clearly established that women's rights were human rights, the need to promote and protect the equal status of and human rights for women, integrate

the gender issue into the programmes of all human rights bodies, and strengthen mechanisms which directly concerned the equal status and human rights of women.

24. Currently, the principal United Nations human rights instruments were finding growing acceptance from Governments, and the treaty bodies were increasingly refining their work methods. One of the standing items on the agendas of the meetings of chairpersons of human rights treaty bodies was non-compliance by States parties with their reporting obligations. In 1993, the Committee on the Elimination of Racial Discrimination had decided to monitor the implementation of the Convention in States whose reports were seriously overdue, on the basis of the last report submitted, and five States had been notified accordingly. One had responded by submitting a report and the four others had requested postponement of the review in order to prepare reports. Two other human rights committees were also adopting a similar approach.

25. The importance of the treaty bodies in the success of the United Nations Decade for Human Rights Education had been underscored by the recommendation, made at a Meeting of Chairpersons of those bodies, that treaty bodies should prepare reporting guidelines and recommendations for States parties. The Committee on Economic, Social and Cultural Rights had adopted a number of decisions on the monitoring of the implementation of the right to human rights education during its consideration of States reports.

26. The Committee on the Rights of the Child, in its concluding observations to States parties, regularly referred to the Decade for Human Rights Education when recommending that greater attention should be paid by Governments to public human rights campaigns and human rights training for professionals working for or with children. It encouraged States to incorporate the Convention on the Rights of the Child into its school curriculums and often recommended that States should avail themselves of the technical cooperation programmes of the Centre for Human Rights in order to implement such educational programmes. The High Commissioner had written to heads of State and to specialized agencies to enlist support for the establishment of national focal points for the Decade and, with the assistance of the Centre for Human Rights, he would continue to support national capacity-building activities and other national initiatives to promote human rights education.

27. The chairpersons of all the treaty bodies had expressed concern over the unsatisfactory status that members of such bodies had been accorded in past international conferences, and had requested that ways should be sought to establish an appropriate status for the treaty bodies within the United Nations system. They had also urged the General Assembly to ensure that the relevant treaty bodies were invited to participate fully in preparations for the forthcoming Habitat II conference. The Committee on Economic, Social and Cultural Rights had expressed the view that the right to adequate housing was a human right. It had been suggested that the treaty bodies concerned should send a joint delegation to the Conference.

28. The Sixth Meeting of Chairpersons, held in Geneva in 1995, had paid special attention to the issue of gender perspectives, and it had been agreed that the treaty bodies should integrate gender perspectives into their working methods. It had been suggested that the guidelines for the preparation of reports by

States parties should be amended to reflect the need for specific information on the human rights of women under each treaty article, and it had further been suggested that treaty bodies should consistently request gender disaggregated data.

29. The Human Rights Committee had recently amended its guidelines for State reports in order to address factors that might affect the enjoyment by women of the rights contained in the International Covenant on Civil and Political Rights, and it had also agreed to consider the adoption of a general comment on the matter.

30. The chairpersons had discussed at length the need to improve the exchange of information, particularly with the United Nations extra-conventional human rights mechanisms, the specialized agencies, non-governmental organizations and regional human rights mechanisms, and had recommended that treaty bodies should, whenever possible, increase their consultations with other United Nations bodies, including the Special Rapporteurs of the Commission on Human Rights and its Subcommission. Such exchanges of information could contribute to the prevention of, and the development of appropriate responses to, situations of massive violations of human rights.

31. Cooperation with an increasing number of partners was an essential feature of the treaty system. The Secretariat, with the encouragement of the treaty bodies, was therefore developing a database of national human rights institutions and non-governmental organizations so that those bodies and institutions could be given advance notice of the consideration of country reports. It had begun to issue, twice a year, an integrated schedule of reports expected to be considered by the treaty bodies during a six-month period, in order to allow the timely preparation of supplementary information by all partners. It was also considering ways to consolidate information resulting from the consideration of States reports by the various treaty bodies for the use of all interested persons and organizations.

32. The Human Rights Committee had decided to invite the specialized agencies and other United Nations organs to address to it oral or written information during the pre-sessional working group on article 40. Having proved very successful in 1995, that practice had been institutionalized.

33. In 1995, the Human Rights Committee had continued to request States parties facing difficulties in implementing the Covenant to submit reports on the human rights situation, referring to specific articles of the Covenant. It had also continued to review its working methods and had decided to increase harmonization of its procedures for dealing with initial and periodic reports.

34. At its most recent session, the Committee on Economic, Social and Cultural Rights had adopted a general comment which addressed the need for States to pay particular attention to the rights of women who, having spent a great portion of their lives caring for their families rather than engaging in remunerated activities, found themselves in critical situations in later years. The Committee would continue its deliberations on the proposed optional protocol to the International Covenant on Economic, Social and Cultural Rights, aimed at establishing a complaint mechanism for those rights, at its next session.

35. Regular meetings had been held during 1995 between the Committee on the Rights of the Child and its partners, including the United Nations Children's Fund, other specialized agencies and non-governmental organizations, to ensure the effective implementation of the Committee's concluding observations, in particular with regard to technical assistance.

36. The second report of the Special Rapporteur on violence against women, which would soon be submitted to the Commission on Human Rights, addressed the legal framework governing violence in the family and, in particular, domestic violence as a violation of human rights. The Special Rapporteur would propose a model framework for national legislation on domestic violence. In addition, she would report on her mission to the Democratic People's Republic of Korea, Japan and the Republic of Korea relating to the issue of military sexual slavery in wartime.

37. A high-level panel discussion on women's rights organized at Headquarters on the occasion of the fiftieth anniversary of the United Nations had led to a broad exchange of views. The innovative ideas that had been advanced on ways of increasing cooperation for the promotion and protection of women's rights would greatly help the Office of the High Commissioner in making plans for specific activities in the years ahead.

38. The High Commissioner remained committed to promoting system-wide cooperation and coordination on women's rights and to the inclusion of the women's perspective in new initiatives on the right to development and had taken note of the Committee's proposal to move its sessions to Geneva in order to join the family of the other human rights treaty bodies.

39. The CHAIRPERSON particularly welcomed the information on the experiences of the other human rights treaty bodies. Close cooperation with those bodies and with the special rapporteurs was of crucial importance to the success of the Committee's work.

40. With regard to the mainstreaming of gender equality issues, it was not for the Committee to make further proposals but rather for the Office of the High Commissioner to take initiatives in that area. The Committee naturally remained ready to cooperate fully with the Office at all times.

41. Ms. BUSTELO GARCIA DEL REAL regretted the inability of the Special Rapporteur on violence against women to attend the Committee's current session and the fact that her second report on domestic violence had not been made available to the experts. That situation further underscored the need for the Committee's secretariat to be located in Geneva in order to facilitate closer coordination with the Centre for Human Rights.

42. Ms. AOUIJ said that the absence of the Special Rapporteur on violence against women was all the more regrettable as domestic violence was one of the Committee's principal concerns and the Committee had a great deal of information to exchange with the Special Rapporteur.

43. Ms. JAVATE DE DIOS said that the Office of the High Commissioner for Human Rights was a critical ally in the Committee's advocacy efforts on behalf of

women's rights. The inclusion of women's rights in the programme of the United Nations Decade for Human Rights Education was a useful way of creating greater awareness of the Convention in all countries of the world. Of equal importance was the regular exchange of information between the Committee and other human rights treaty bodies. The Committee would be quite happy to make available to other treaty bodies and to special rapporteurs its valuable database drawn from the periodic reports submitted by States.

44. Ms. QUISUMBING (Chief of the Centre for Human Rights, New York Office) thanked the experts for their comments and questions which she would convey to the High Commissioner. The exchange of views that had just taken place would imbue with greater urgency the High Commissioner's stated commitment to working in close collaboration with the Committee.

45. She wished to correct an apparent misapprehension on the part of Ms. Bustelo. The absence of the Special Rapporteur on Violence against Women was due not to a lack of funds but to her unavailability.

The meeting rose at 5 p.m.